

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-006316-001 DT

11/07/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT

C. Harrington

Deputy

STATE OF ARIZONA

ERICA JOHNSON MANDIGO

v.

ARTYOM PETROSYAN (001)

DOB: 08/24/1981

STEPHEN C KUNKLE

APO-SENTENCINGS-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SENTENCE - IMPRISONMENT AND PROBATION

10:10 a.m.

State's Attorney: Erica Mandigo

Defendant's Attorney: Stephen Kunkle and Anna Movsesian

Defendant: Present

Court Reporter, Mike Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

Courtroom: SCT 5C

Count(s) 1, 2, 5, and 10: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1: (Amended) Attempted Theft of a Credit Card or Obtaining a Credit Card by Fraudulent Means

Class 6 Felony

A.R.S. § 13-1001, 2102, 2101, 701, 702, 801

Date of Offense: 09/23/2011

Non Dangerous - Non Repetitive

OFFENSE: Count 2: Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 701, 702, 801

Date of Offense: 09/24/2011

Non Dangerous - Non Repetitive

OFFENSE: Count 5: (Amended) Attempted Theft of a Credit Card or Obtaining a Credit Card by Fraudulent Means

Class 6 Felony

A.R.S. § 13-1001, 2102, 2101, 701, 702, 801

Date of Offense: 09/25/2011

Non Dangerous - Non Repetitive

OFFENSE: Count 10: (Amended) Attempted Theft of a Credit Card or Obtaining a Credit Card by Fraudulent Means

Class 6 Felony

A.R.S. § 13-1001, 2102, 2101, 701, 702, 801

Date of Offense: 09/26/2011

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 9 month(s) from 11/07/2013

Presentence Incarceration Credit: 120 day(s)

Mitigated

Sentence is concurrent with Count 5 and 10.

Count 5: 9 month(s) from 11/07/2013

Presentence Incarceration Credit: 120 day(s)

Mitigated

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Sentence is concurrent with Count 1 and 10.

Count 10: 9 month(s) from 11/07/2013
Presentence Incarceration Credit: 120 day(s)
Mitigated
Sentence is concurrent with Count 1 and 5.

Community Supervision: Count 1, 5, and 10 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in Count 2.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Upon release from prison pursuant to A.R.S. §13-603(K). Count 2: For a period of 3 Years.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 9 - May apply for Interstate Compact supervision in the state of California and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

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Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

PROBATION SURCHARGE: Count 2 - \$20.00.

INTERSTATE COMPACT FEE in the amount of \$300.00: Count 2 - \$30.00 per month.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

The Court retains jurisdiction for any future restitution hearings.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforeponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 3, 6, 7, 8, and 11-14.

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Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 5: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 10: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

10:21 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. SHERRY K. STEPHENS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)